

Message Text

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ORIGIN IO-04

INFO OCT-01 ADP-00 AF-05 ARA-10 EA-04 EUR-06 NEA-05 RSC-01

L-03 /039 R

66639

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R 022011 Z APR 73

FM SECSTATE WASHDC

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QUOTE

USUN 1149

DEPT PASS ALL DIPLOMATIC POSTS

E. O. 11652: N/ A

TAGS: PBOR, UN

SUBJ: LOS: SEABED COMMITTEE - SUMMARY OF FOURTH WEEK -
MARCH 19-23

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1. SUMMARY. FOURTH WEEK REVEALED STEADY PROGRESS IN SUBCOMMITTEE I WHICH COMPLETED SECOND READING OF DRAFT TREATY ARTICLES ON DDP SEABED REGIME PRINCIPLES, AND WILL MOVE ON TO MACHINERY. PRC WAS ACTIVE IN BOTH SUBCOMMITTEES I AND II. IN SUBCOMMITTEE II, WIDE RANGING SUBSTANTIVE DEBATE GENERALLY FOLLOWED AGREED WORK PROGRAM AND EIGHT CO- SPONSORS CIRCULATED DRAFT ARTICLES ON TERRITORIAL SEA AND STRAITS. SUBCOMMITTEE III WORKING GROUP CONTINUED DISCUSSION AND DRAFTING OF TEXTS ON MARINE POLLUTION PRINCIPLES.

2. SUBCOMMITTEE I RECOMMENDED APPROVAL OF THE US PROPOSAL FOR STUDY ON PRECEDENTS OF PROVISIONAL APPLICATION OF MULTILATERAL TREATIES. PRC DELEGATION MADE SIGNIFICANT STATEMENT ENDORSING INTERNATIONAL MACHINERY AND DEEP SEABED POSITION ALONG LINES FAVORED BY MORE EXTREME DEVELOPING COUNTRIES. WORKING GROUP AGREED ON DRAFT ARTICLES ON LEGAL STATUS OF WATERS SUPERJACENT TO AREA, NON-INTERFERENCE AND PROTECTION OF ACTIVITIES IN AREA, RESPONSIBILITY TO ENSURE OBSERVANCE OF INTERNATIONAL REGIME AND LIABILITY FOR DAMAGES, ARCHEOLOGICAL AND HISTORICAL TREASURES AND RIGHT OF ACCESS FOR LANDLOCKED STATES. ARTICLE ON DISPUTE SETTLEMENT WAS PASSED OVER WITHOUT DEBATE. AS A RESULT, SUBCOMMITTEE I WORKING GROUP COMPLETED SECOND READING OF SEABED REGIME PRINCIPLES AND BEGAN FIRST READING OF MACHINERY ARTICLES. PROVISIONAL COMPOSITE TEXT WITH DRAFT ALTERNATIVE ARTICLES ON PRINCIPLES HAVE BEEN PREPARED AND CIRCULATED.

3. SUBCOMMITTEE II WORKING GROUP CONTINUED DISCUSSION OF UNITY VERSUS PLURALITY OF REGIMES WITH PARTICULAR EMPHASIS ON TERRITORIAL SEA. PERU ENDORSED URUGUAYAN APPROACH WHICH DISTINGUISHED TWO ZONES WITHIN " TERRITORIAL SEA": FIRST EXTENDED TO 12 MILES WITH INNOCENT PASSAGE PERMITTED ; SECOND EXTENDED BEYOND 12 OUT TO 200 WITH FREEDOM OF NAVIGATION AND OVERFLIGHT THEREIN. PRC ATTACKED FOUR GENEVA CONVENTIONS ON LOS AS PRODUCTS OF SUPERPOWER ATTEMPTS TO DOMINATE OCEANS. AUSTRALIA GENERALLY ENDORSED SANTO DOMINGO DECLARATION AND COLOMBIA INDICATED DRAFT ARTICLES BASED ON DECLARATION WOULD BE SUBMITTED SOON. NIGERIA INDICATED 12 MILE TERRITORIAL SEA MIGHT BE ACCEPTABLE IF NECESSARY FOR AGREEMENT (THEY UNCLASSIFIED

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PRESENTLY HAVE 30 MILE TERRITORIAL SEA) AND UK GAVE STRONG

STATEMENT IN SUPPORT OF US POSITION. DRAFT ARTICLES ON TERRITORIAL SEA AND STRAITS (COSPONSORED BY PHILIPPINES, CYPRUS, GREECE, INDONESIA, MALAYSIA, MOROCCO, SPAIN AND YEMEN) WERE CIRCULATED BUT AWAIT FORMAL INTRODUCTION IN FULL SUBCOMMITTEE II.

4. SUBCOMMITTEE III WORKING GROUP COMPLETED DISCUSSION OF PRINCIPLES ITEM ON MEASURES FOR PREVENTING POLLUTION AND COMMENCED DISCUSSION OF ITEM ON GLOBAL AND REGIONAL COOPERATION CONCURRENTLY WITH ITEM ON TECHNICAL ASSISTANCE. MOST WORK TOOK PLACE IN SMALL, INFORMAL DRAFTING GROUP IN WHICH US TOOK ACTIVE PART. DENMARK SPOKE IN FAVOR OF INTERNATIONALLY AGREED POLLUTION CONTROL ZONE, BUT WITH INTERNATIONAL RULES AS ONLY VALID BASIS FOR EXERCISE OF COASTAL STATE RIGHTS. SUBCOMMITTEE III MET AND HEARD OTHER STATEMENTS BY IMCO, FINLAND, ICELAND, POLAND, PERU AND US. US STRESSED THROUGHOUT IMPORTANCE OF INTERNATIONAL MEASURES TO PREVENT POLLUTION. WORKING GROUP ON SCIENTIFIC RESEARCH TO BE FORMED IN SUBCOMMITTEE III WILL BE COMPOSED OF 33 MEMBERS, INCLUDING US. SCHAUFEL UNQUOTE RUSH

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 02 APR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE060267
Document Source: CORE
Document Unique ID: 00
Drafter: IO/ UNP: TSCULLY 4/2/73
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730430/aaaahgph.tel
Line Count: 140
Locator: TEXT ON-LINE
Office: ORIGIN IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Aug-2001 by reddocgw>; APPROVED <17-Aug-2001 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 971112
Subject: LOS: SEABED COMMITTEE - SUMMARY OF FOURTH WEEK - MARCH 19- 23
TAGS: PBOR, UN, PBOR
To: HONG KONG
NASSAU
USUN NEW YORK
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005